

Serial/Patent No.: Not Yet Assigned Filing/Issue Date: Herewith

Title: METHODS AND MATERIALS RELATING TO NOVEL POLYPEPTIDES  
AND POLYNUCLEOTIDES

Docket No.: HYS-B2/PCT Attorney: RP/ad

Date Mailed: July 9, 2003 Docket Due Date: \*\*\*

*The Following Has Been Received In The U.S. Patent and Trademark Office On The Date Stamped Hereon:*

- 1) PCT Application (188 pages)
- 2) Figures (19 pages) | 10
- 3) Transmittal Letter (1 page)
- 4) PCT Request (7 pages)
- 5) Computer-Readable Copy of Sequence Listing (4 CD-ROMs)
- 6) Statement Regarding Sequence Listing (1 page)
- 7) Transmittal Letter for CD Submission (2 pages)
- 8) Return Postcard
- 9) Express Mail Label No.: EV331981859US

**PCT/US 03/21703**

**DT14 Rec'd PCT/PTO 09 JUL 2003**



100-1450-1450'd FCT/PTO 14 OCT 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

52

Application Number	10/520,299
Filing Date	January 4, 2005
First Named Inventor	Fabio Rupp
Art Unit	
Examiner Name	
Attorney Docket Number	HYS-B2CIP/US

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Copy of Notice of Missing Requirements Statement Under 37 CFR 1.52(e)3
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Statement Under 37 CFR 1.52(e)4
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input checked="" type="checkbox"/> CD, Number of CD(s) <u>4</u>	<input type="checkbox"/> Statement Under 37 CFR 1.825(d)
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Return Postcard
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		
Other Enclosures (cont'd): Application Data Sheet Petition Under 37 CFR 1.47(a) Copies of Return Postcard, Statement Under 37 CFR 1.821(f), Transmittal for CD Submission of Sequence Listing, and Notification Re Sequence Listing CD Test Results; all submitted to US Receiving Office July 9, 2003		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	NUVELO, Inc.		
Signature			
Printed name	Renee S. Polizotto, Ph.D.		
Date	October 14, 2005	Reg. No.	53,474

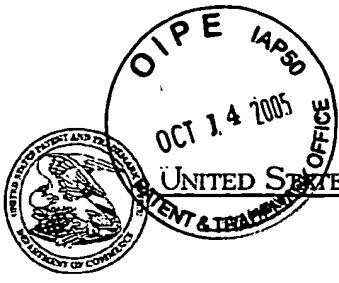
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steven C. Garland	Date	October 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,299	Fabio RUPP	HYS-B2CIP/US
INTERNATIONAL APPLICATION NO.		
PCT/US03/21703		
I.A. FILING DATE	PRIORITY DATE	
07/09/2003	07/12/2002	

Nuvello Inc  
675 Almanor Avenue  
Sunnyvale, CA 94085

CONFIRMATION NO. 5071  
371 FORMALITIES LETTER  
\*OC000000016792424\*  
\*OC000000016792424\*

Date Mailed: 08/18/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/04/2005
- Copy of the International Search Report filed on 01/04/2005
- Biochemical Sequence Listing filed on 01/04/2005
- U.S. Basic National Fees filed on 01/04/2005
- Specification filed on 01/04/2005
- Claims filed on 01/04/2005
- Drawings filed on 01/04/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$150 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$275 for a Small Entity:

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- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The fee for submitting a specification and drawing containing more than 100 pages has not been paid in full. Applicant owes \$125 for 21 pages in excess of 200 pages for a small entity in compliance with 37 CFR 1.27.
- Total additional claim fee(s) for this application is \$ 150
  - \$150 for 8 total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

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Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
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10/520,299

PCT/US03/21703

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FORM PCT/DO/EO/905 (371 Formalities Notice)